SUMMARY

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Summary of the Practice Standards for Adoption

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Summary of the Practice Standards for Adoption

BRITISH COLUMBIA

Ministry for Children and Families
Adoption Branch

May 2001

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Preface

This document presents the adoption practice standards that direct adoption practice in British Columbia.

The standards are taken from *Practice Standards and Guidelines for Adoption*, which also includes:

- an introduction to adoption practice and the adoption practice standards
- commentary accompanying each standard that explains the importance of the standard and the legislative provisions that govern the actions required
- complete practice guidelines for meeting each practice standard
- a description of post-adoption services provided by the ministry and other government and non-govermental agencies, and
- an appendix of information and resources related to adoption.

Readers are encouraged to consult *Practice Standards and Guidelines for Adoption* for complete information and direction on applying these practice standards.

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Chapter 1: General Roles and Duties of Adoption Workers

The standards in this chapter describe the general responsibilities and duties of the worker providing adoption services. These overarching standards apply to all types of adoption and throughout all stages of the adoption process.

Practice Standard 1: Acting in the Child's Best Interests

When carrying out your responsibilities as a worker providing adoption services, you must give paramount consideration in every respect to the child's best interests as defined in section 3 of the Adoption Act.

To ensure that the child's best interests are considered in an unbiased and independent manner, a worker other than the worker providing services to the prospective adoptive parent(s) must provide adoption services to the child and/or birth parent(s), unless the regional manager responsible for adoption grants an exception to this practice.

Practice Standard 2: Consulting with the Child and Considering the Child's Views

You must consult with the child, actively seek the child's views according to his or her capabilities, and take the child's views into consideration at certain key stages of the adoption process, including but not limited to:

- when developing or reviewing the child's comprehensive plan of care
- when developing a permanency plan for the child, including adoption placement options
- when a decision is made to implement an adoption plan
- when determining whether to involve an Aboriginal child's Band or Aboriginal community
- when a decision to separate siblings is being considered
- when a family is proposed and during the pre-placement visits
- when considering openness agreements
- when considering terminating or continuing access orders or agreements
- when planning pre-placement visits and at the conclusion of pre-placement visits when determining whether the placement should proceed
- at the time the child 12 years of age or over is consenting to the adoption and a possible name change
- during the post-placement period while the child is living with the prospective adoptive parent(s), and
- at the conclusion of the post-placement period when a decision is being made whether or not to complete the adoption.

In addition, when completing an adoption for a child who is at least 7 and less than 12 years of age, you must ensure that a report on the child's views is prepared and included as part of the documentation for the court.

Practice Standard 3: Promoting a Climate of Understanding, Mutual Respect and Cultural Sensitivity

When providing adoption services, you must conduct your duties with understanding and respect for the cultural, racial and religious heritage, place of origin, age and sexual orientation of the child, the birth parent(s), the prospective adoptive parent(s) and the adoptive parent(s).

Practice Standard 4: Preserving an Aboriginal Child's Unique Cultural Heritage and Identity

When considering a plan for permanency, including a plan for adoption, for an Aboriginal child, you must give special attention to preserving the child's unique cultural identity and heritage.

When involving the Aboriginal child's family, Band or Aboriginal community in discussions about the child's permanency, which may include adoption, you must conduct your duties with understanding and respect for the importance of preserving their Aboriginal ancestry, culture and heritage.

Practice Standard 5: Following Related Protocols, Standards and Policies

You must follow related protocols and standards, including but not limited to:

- *Practice Standards for Guardianship*
- *Provincial/Territorial Protocol on Children and Families Moving Between Provinces and Territories*
- protocol agreements with Aboriginal agencies and communities
- MCF Complaints Process and *Complaints Process Handbook*
- *Procedures for Accelerated Review of Imminent MCF Placement Decisions*
- International Social Services agreements.

If you are delegated to provide guardianship or adoption services and are employed by an Aboriginal child and family service agency, you must also follow the *Aboriginal Operational and Practice Standards and Indicators*.

Practice Standard 6: Seeking Consultation, Supervisory and Management Approval

Throughout the adoption process, you must:

- seek consultation with your supervisor/team leader, and
- at the time of key case management decisions, obtain the approval of:
  - your supervisor/team leader
  - where required, your regional manager responsible for adoption, and
  - where required, the Director of Adoption.

Practice Standard 7: Confidentiality, Obtaining and Disclosing Information

You must comply with all legislative provisions governing disclosing and obtaining information about the child and child's birth family and adoptive family.

When disclosing or obtaining information, you must:

- ensure that it is in the child's best interests, and
- advise the child's prospective adoptive parent(s), any other service providers and any person significantly or routinely involved in the child's care, about legislative provisions governing disclosure of information and the need to protect the personal privacy of the child and of the child's family.

You must obtain the approval of the Director of Adoption:

- before releasing any identifying information from any file involving a completed adoption, and
- when there is a request to contact a birth parent, birth relative or adopted person after the adoption order is granted, except as provided for under sections 69 and 71 of the *Adoption Act*, which allow individuals to register for the mutual exchange of identifying infor-mation and for search and reunion services when the adopted person is older than 19.

Practice Standard 8: Making Reasonable Efforts as Required by the Adoption Act

You must make reasonable efforts to notify or contact an individual who is entitled to be notified or contacted under a provision of the *Adoption Act*.

Practice Standard 9: Reporting Suspected Offences and Contraventions of the *Adoption Act*

Upon receiving information indicating that an offence under the *Adoption Act* may have or has occurred, you must

- prepare a written report
- have the report signed by your supervisor/team leader, and
- send the report to the Director of Adoption within five working days.

Practice Standard 10: File Management

You must ensure that files and case records for the child, the birth parent(s) and the prospective adoptive parent(s):

- are maintained in the form required, whether in electronic format or on paper
- are maintained in a secure location at all times, and
- are protected from unauthorized access.

In addition, you must ensure that:

- the child's file contains all documentation and the record of services provided to the child while he or she is in care, including those required to complete the services described in *Practice Standards and Guidelines for Adoption* and Guardianship Practice Standard 42
- information contained in the child's, the birth parent(s)' and the prospective adoptive parent(s)' files and case records is accurate and complete, and
- at the time of adoption placement, before transferring the child's file to the district office responsible for supervising the post-placement period, the child's file has been placed on restricted status in order to protect the privacy of the child and prospective adoptive parent(s).

Practice Standard 11: Collection of Fees for Adoption Services

You must:

- inform prospective adoptive parent(s) at the outset about fees charged for services and the manner of payment
- apply the Adoption Services Income Test to determine the fees to be charged
- obtain your supervisor's/team leader's approval for a full or partial fee subsidy, and
- if no subsidy has been approved, ensure that fees are collected prior to providing services.

Chapter 2: Openness

The standards in this chapter relate to openness agreements made before the adoption order has been granted. Openness agreements completed after the adoption order has been granted are described in Chapter 13 of Practice Standards and Guidelines for Adoption.

Practice Standard 12: Planning and Completing Openness Agreements for a Child in Continuing Custody

When working with a child in continuing custody, early in the adoption planning process and prior to the adoption proposal, you must:

- consult with the child and consider the child's views about the option of initiating contact or continuing significant relationships through openness agreements
- review the child's comprehensive plan of care to determine the child's needs to initiate contact or for ongoing contact
- determine with whom openness is in the child's best interests, including initiating contact with birth family members
- if it has been determined to be in the child's best interests, provide information about openness to the child's relatives and any other person who has a significant relationship with the child
- ensure the adoption worker for the prospective adoptive parent(s) or adoptive parent(s) of a sibling of the child shares information about openness with them
- if a person with whom openness is being discussed resides outside your area, arrange for an adoption worker in that area to have these discussions
- determine the level of openness desired by those interested in entering into an openness agreement, and
- determine the level of openness that is in the best interests of the child.

When you have determined that an openness agreement with a person is in the best interests of the child, you must:

- consult with the child and consider the child's views about the openness agreement
- represent the best interests of the child during negotiations with interested individual(s), and
- assist in negotiating an agreement with participants in the adoption process, or
- arrange to have another adoption worker assist in negotiating an agreement when the person with whom openness is being discussed resides in another area.

An openness agreement for a child in continuing custody must be completed:

- before the adoption order is made, and
- prior to placement, wherever possible.

You must exchange any information, letters, photos or gifts as agreed upon between the participant(s) to the openness agreement prior to the granting of the order.

Practice Standard 13: Planning and Completing Openness Agreements for a Child when Birth Parents Are Voluntarily Planning Adoption

When working with birth parent(s) who are voluntarily planning adoption under the *Adoption Act,* early in the adoption planning process, you must:

- consult with the child and consider the child's views about the option of continuing significant relationships through openness agreements

- provide information about openness to those requesting openness, including the child's relatives and any other person who has a significant relationship with the child
- ensure the adoption worker for the prospective adoptive parent(s) or adoptive parent(s) of a sibling of the child shares the information about openness with them
- if a person with whom openness is being discussed resides outside your area, arrange for an adoption worker in that area to have these discussions
- determine the level of openness desired by each person with whom openness is being discussed
- if fully disclosed openness that includes contact is requested, assess whether there would be any concerns about the child's safety or well being.

When birth parent(s) voluntarily planning adoption under the *Adoption Act* request your assistance in negotiating an openness agreement, you must:

- consult with the child and consider the child's views about the openness agreement
- represent the best interests of the child during negotiations with interested individual(s), and
- assist in negotiating the openness agreement with participants in the adoption process or
- arrange to have another adoption worker assist in negotiating an agreement when the person with whom openness is being discussed resides in another area.

The completion of an openness agreement must occur:

- after consents have been taken from the birth parent(s), and
- before the adoption order is made.

You must exchange any information, letters, photos or gifts as agreed upon between the participant(s) to the openness agreement, prior to the granting of the order.

Practice Standard 14: Planning and Completing Openness Agreements with Prospective Adoptive Parents

When working with prospective adoptive parent(s), prior to adoption placement, you must:

- provide them with information about openness, both at the initial interview stages and during the homestudy process, and
- determine the level of openness they can agree to and accept.

As the worker for the prospective adoptive parent(s), you must assist in the negotiation of an openness agreement with persons with whom openness is being considered.

Openness agreements must be completed:

- prior to placement, wherever possible, for a child in the continuing custody of a director under the *CFCSA*, or
- after consents have been taken, when birth parent(s) are planning adoption voluntarily under the *Adoption Act*, and
- in either case, before the adoption order is made.

You must exchange any information, letters, photos or gifts as agreed upon between the participant(s) to the openness agreement, prior to the granting of the order.

If, after a child in continuing custody of a director under the CFCSA is placed for adoption and before the adoption order is granted, you receive a request to change the terms agreed to during early discussions of openness or the terms of a completed openness agreement, you must consult with your supervisor/team leader when determining if the change is in the best interests of the child.

Practice Standard 15: Initiating the Exchange of Information through the Openness Exchange Registry

If persons who have entered into an openness agreement request access to the services of the Openness Exchange Registry, you must register the openness agreement as soon as possible following the granting of an adoption order.

Chapter 3: Adoption Planning for the Child: Pre-placement and Placement

The standards in this chapter apply to all aspects of the adoption planning process for ministry arranged adoptions. Standards concerning adoption planning for non-ministry adoptions are covered in Chapters 11 and 12.

Practice Standard 16: Implementing an Adoption Plan for the Child or Requesting an Exception to Registration for Adoption

When you assume responsibility for implementing an adoption plan for a child, you must:

- ensure that the child is legally available for adoption
- consult with the child and consider the child's views about permanency, including adoption
- ensure that all the child's required documents are current and on the child's file
- review the child's file in order to understand the child's history and to determine:
  - the child's current and future needs
  - whether the child is Aboriginal
  - whether an access order exists
  - whether the child has siblings
  - the child's need to maintain family ties and significant relationships through openness agreements including what involvement, if any, there should be with birth relatives of a child in continuing custody
- review the child's comprehensive plan of care.

If you determine that having adoption as the plan of care is not in the best interests of a child in continuing custody who is under 12 years of age, you must:

- document the reasons on the child's file and develop an alternative plan which meets the child's best interests
- obtain an exception to adoption registration from your regional manager responsible for adoption
- review the exception to registration at each review of the child's comprehensive plan of care
- review the exception to registration with your regional manager responsible for adoption each year when reviewing the child's comprehensive plan of care or if the child's circumstances change, and
- register the child for adoption when the circumstances that led to the child's exception change significantly.

Practice Standard 17: Registering the Child for Adoption and Making Efforts to Secure an Adoption Placement

When adoption is the plan of care for a child, you must register the child for adoption with Adoption Branch:

- as soon as possible and within 3 months of the child becoming legally available for adoption, if the child is in continuing custody
- as soon as possible after an adoption plan is made when the birth parent(s) are voluntarily planning adoption under the *Adoption Act*, even if the child is not yet born (refer to Practice Standard 31).

You must actively and in a timely manner make efforts to secure an adoption placement for a child consistent with the child's comprehensive plan of care and in the child's best interests.

In addition, if the child is Aboriginal, refer to Practice Standard 18.

When you are unable to secure an adoption placement, you must make additional recruitment efforts:

- through the Adoption Bulletin
- through general recruitment in your region
- through child-specific recruitment methods, which may include the use of media, or contact with licensed B.C. adoption agencies, adoption support groups or Aboriginal agencies to promote the adoption of a specific child.

When making recruitment efforts, you must not release a photograph or identifying information about the child to the general public.

When using the media for general or child-specific recruitment, you must request that Adoption Branch obtain the approval of Communications Branch.

If no prospective adoptive parent(s) have been found after a child has been featured in the Adoption Bulletin for 6 months, review all adoption planning options and planning efforts to achieve permanence for the child with your supervisor/team leader.

Practice Standard 18: Planning for the Adoption of an Aboriginal Child in Continuing Custody

When you are planning adoption for an Aboriginal child who is in continuing custody, in addition to the requirements of Practice Standard 12, and the standards in this chapter and chapter 5, you must:

- consult with the child and consider the child's views
- provide the child with information about:
  - the value of involving the child's or birth parent(s)' Band or the Aboriginal community with which the child or parent(s) identify
  - available Aboriginal support services and, if possible and appropriate, link the child with those services
- unless the child 12 years of age or older objects, make reasonable efforts, early in the adoption planning process, to contact in person the designated representative of the child's Band, Aboriginal community, or the Nisga'a Lisims Government, as appropriate, and involve the representative:
  - in discussions about the child's permanence, which may include adoption
  - in identifying possible prospective adoptive parents
- early in the adoption planning process:
  - ensure that the child who is entitled is registered under the *Indian Act*
  - ensure the child who is eligible is registered for membership within his or her Band, or
  - ensure that application is made to register with the Nisga'a Lisims Government a child entitled to citizenship under the Nisga'a Lisims Government.

When making placement decisions concerning an Aboriginal child in continuing custody, you must:

- obtain the approval of your supervisor/team leader
- consider placement options in the following order of priority:
  - members of the child's extended family
  - other members of the child's Aboriginal community who are living either inside or outside of the community

- approved Aboriginal homes outside of the child's Aboriginal community that have a plan to preserve the child's unique cultural identity
- after obtaining an exception from the Exceptions Committee, approved non-Aboriginal homes that have a plan to preserve the child's unique cultural identity

- weigh all relevant factors as outlined in section 3 of the *Adoption Act* to determine the placement that is in the best interests of the child, and
- when there is more than one plan which may meet the child's needs, and there is a disagreement about which plan best meets the child's needs, involve your regional manager responsible for adoption in the decision-making process.

Practice Standard 19: Planning for the Adoption of an Aboriginal Child in Continuing Custody by a Non-Aboriginal Family

If, after the requirements of Practice Standard 18 are met, an Aboriginal home cannot be found for an Aboriginal child in continuing custody, you must complete the following requirements:

- when you wish to review any written family assessments for non-Aboriginal prospective adoptive parent(s) other than those with a significant relationship with the child who are applying specifically for that child:
  - consult with your regional manager responsible for adoption, and
  - obtain prior approval from the Exceptions Committee.
- when non-Aboriginal prospective adoptive parent(s) have been selected for the child and prior to placing the child:
  - prepare and sign a written request for the approval of the Exceptions Committee to place the child in a non-Aboriginal home, including a cultural plan for preserving the child's culture, identity and heritage
  - if the plan is to place the child in the non-Aboriginal home of prospective adoptive parent(s) applying specifically for that child, include in your request for approval how you determined that the placement is in the child's best interests
  - obtain the signature of your supervisor/team leader on the request
  - forward the request to your regional manager responsible for adoption and request that it be signed and forwarded to the Deputy Director of Aboriginal Services, and
  - obtain approval from the Exceptions Committee to place the child.

Practice Standard 20: Planning for the Adoption of a Child when there is an Access Order

When planning for the adoption of a child who is the subject of an access order, early in the adoption planning process and well in advance of the adoption placement, you must:

- consult with the child and consider the child's views regarding ongoing access
- inform the child 12 years of age or over before taking their consent to adoption, that an adoption order terminates a person's access rights, unless the court orders otherwise
- determine the best interests of the child regarding ongoing contact with the person with access
- consider that the access order may affect the child's adoption plan and placement
- determine whether the access order should continue, vary or be terminated in favour of an openness agreement
- attempt to involve the person with access in the adoption planning process and attempt to obtain agreement with your plan for ongoing contact, and
- provide written notice of the adoption plan to the person who has access to the child.

Practice Standard 21: Planning for the Adoption of Siblings or a Child with Siblings

When planning for the adoption placement of siblings or a child with siblings, you must:

- consult with the child and/or sibling group and consider their views in making decisions about their placement
- wherever possible place the children together in the same adoptive home
- obtain the approval of your supervisor/team leader in all placement decisions
- when there is more than one plan which may meet the child's needs, and there is a disagreement about which plan best meets the child's needs, involve your regional manager responsible for adoption in the decision making process.

When planning for the adoption of a child with a sibling who was previously adopted, you must:

- request that Adoption Branch provide you with contact information for the adoption worker for the adoptive parent(s) of each of the child's siblings
- determine through discussion with the adoption worker of the adoptive parent(s) of each of the siblings whether they are able to meet the needs of the child for whom you are currently planning
- attempt to place the child in the same adoptive home as his or her sibling(s), unless birth parent(s) who are voluntarily planning adoption under the *Adoption Act* object.

In the rare occasion when it is not possible to place siblings together, you must make every effort to maintain these significant family ties through openness agreements.

In addition, prior to placement, when planning for a sibling or siblings in continuing custody, you must:

- obtain approval from your regional manager responsible for adoption to place siblings separately, and
- document the reasons for separation in each of the children's plans of care and the plan for continuity of relationships.

Practice Standard 22: Collecting the Child's Documentation, Medical, Social and Placement History

Prior to placing a child for adoption, where appropriate and possible, you must collect the following information:

- the child's written placement history and life experiences
- the child's most recent school records and any educational assessments
- a copy of the child's baptismal certificate, if the child has been baptized
- a detailed health history of the child, and
- recent photographs of the child.

You must:

- preserve the above information for the child, and
- when the above information is given to the prospective adoptive parent(s) at the time the child is proposed, ensure that no identifying information is included.

In addition, in preparation for the adoption completion, you must collect the following:

- a certified copy of the child's birth registration
- a certified copy of the continuing custody order, if applicable, and
- copies of any access orders, if applicable.

Practice Standard 23: Collecting the Medical and Social History of the Child's Birth Family

Prior to placing a child for adoption you must:

- collect as much information as possible about the medical and social history of the child's biological family, including:
  - descriptions of the birth parent(s)
  - health histories of the birth parent(s)
  - social histories of the birth parent(s), and
  - the reasons the birth parent(s) have decided to make an adoption plan
- preserve this information in a written report for the child, and
- give the written report to the prospective adoptive parent(s).

When a birth parent voluntarily planning adoption is not located before placement to complete the medical and social history for the child, obtain the approval of your supervisor/team leader to place the child.

Practice Standard 24: Designating the Child for Post-adoption Assistance

When making an adoption plan for a child, you must:

- review the age, legal status and special service and placement needs of the child
- determine whether the child meets the criteria for designation for post-adoption assistance, and
- obtain the approval of your supervisor/team leader to designate the child.

If adoptive parent(s) of a child who was not designated but who was adopted after November 4, 1996, apply for post-adoption assistance, you must determine whether the child meets the criteria for designation and obtain the approval of your supervisor/team leader to designate the child.

Practice Standard 25: Preparing the Child for Adoption

Prior to placing a child for adoption you must:

- early in the planning process and in a timely fashion, develop a written plan to prepare the child for adoption
- ensure the child is thoroughly prepared emotionally for adoption placement in a manner consistent with the child's age and level of understanding and sensitive to the child's needs
- counsel the child about the meaning and effects of adoption in a way consistent with his or her capabilities
- consider the views of those involved in the preparation of the child in determining whether the child is thoroughly prepared and ready for an adoption placement
- obtain the approval of your supervisor/team leader that the child is thoroughly prepared and ready for an adoption placement, and
- ensure a Life Book is prepared for the child.

Practice Standard 26: Selecting Prospective Adoptive Parent(s) for a Child in Continuing Custody

When selecting prospective adoptive parent(s) for a child in continuing custody, you must:

- determine whose views you will consider when deciding which prospective adoptive parent(s) will meet the child's special service and placement needs, and at a minimum include your supervisor/team leader and one other person

- obtain and review the written family assessments to determine the characteristics and abilities of the prospective adoptive parent(s) you are considering
- weigh all relevant factors as outlined in section 3 of the *Adoption Act* and Practice Standard 1 to determine if adoption placement with the prospective adoptive parent(s) being considered would be in the child's best interests
- obtain and consider the views of those you are involving in the selection process, and
- when there is more than one plan which may meet the child's needs and there is disagreement about which plan can best meet the child's needs, involve your regional manager responsible for adoption.

Practice Standard 27: Proposing the Adoption Placement of a Child to Prospective Adoptive Parent(s)

Prior to proposing the adoption placement of a child in continuing custody with prospective adoptive parent(s), you must:

- ensure that the child is thoroughly prepared and ready for an adoption placement
- participate in the review of the child's comprehensive plan of care and complete the "Specific Needs" and "Desired Outcome" categories in the child's comprehensive plan of care, including both present and future needs
- determine whether the prospective adoptive parent(s) agree to the level of openness you have determined is in the child's best interests
- obtain the approval of your supervisor/team leader to propose the child to the prospective adoptive parent(s)

When proposing the child to the adoption worker for the prospective adoptive parent(s), you must share the following, after removing identifying information:

- the comprehensive plan of care completed for the proposal, as described above
- the child's previous comprehensive plan of care
- the child's written placement history and life experiences (refer to Practice Standard 22), and
- all relevant information about the child and the birth family.

When the prospective adoptive parent(s) have agreed to accept the adoption of the proposed child, you must:

- obtain from the adoption worker for the prospective adoptive parent(s) the completed and signed comprehensive plan of care and letter acknowledging information they have received
- determine with the adoption worker for the prospective adoptive parent(s), your supervisor/team leader and their supervisor/team leader whether the prospective adoptive parent(s) understand and have the capacity to meet the special service and placement needs of the child, and
- obtain your supervisor's/team leader's approval of the completed comprehensive plan of care before beginning pre-placement visits.

Practice Standard 28: Pre-placement Visits

When a child is moving to an adoption placement, you must:

- develop a written plan for pre-placement visits specifying the frequency and nature of visits based on the child's age and specific needs
- ensure the plan is shared with the child and the prospective adoptive parent(s)
- prior to beginning pre-placement visits, ensure you have met all of the requirements of Practice Standards 25 and 27

- consult with the child and consider the child's views (refer to Practice Standard 2)
- when an infant has been voluntarily placed for adoption under the *Adoption Act* and has resided with a caregiver, ensure that pre-placement visits are of two-day duration
- review and revise the plan to ensure it allows for additional visits to meet the child's and the prospective adoptive parent(s)' emerging needs as the visits proceed, and
- ensure the child has the opportunity to return after pre-placement visits to the home of the caregiver.

To determine if the child is ready to move to the home of the prospective adoptive parent(s), you must:

- consult with the child and consider the child's views to determine if as a result of pre-placement visits the child is ready to move to the home of the prospective adoptive parent(s) (refer to Practice Standard 2)
- if the child is 12 years of age or older, meet with the child privately to take the child's consent to adoption and name change
- consult with the child's caregivers and other professionals who know the child
- consult with the adoption worker for the prospective adoptive parent(s) to determine the worker's assessment about their readiness to receive the child
- when there is no consensus about the child's preparedness to move, involve your supervisor/team leader and your regional manager responsible for adoption.

You must assess the information obtained and confirm the readiness of the child and the prospective adoptive parent(s) to proceed with the adoption placement.

Practice Standard 29: Placing a Child who is in Continuing Custody

Prior to placing a child who is in continuing custody, you must:

- ensure placement proceeds only when you have determined that the child and prospective adoptive parent(s) are ready (refer to Practice Standard 28)
- ensure that the child who is eligible has been designated for post-adoption assistance
- facilitate any agreed upon openness contact between birth family, caregivers and prospective adoptive parent(s)
- prepare the Adoption Placement Agreement for the prospective adoptive parent(s), and
- request that the adoption worker for the prospective adoptive parent(s) conduct an new prior contact check if more than 30 days has passed since the one done at the time of proposal.

At the time of placement, you must:

- transfer care and custody to the prospective adoptive parent(s) by signing and obtaining their signatures on the Adoption Placement Agreement
- ensure that either you or the adoption worker for the prospective adoptive parent(s) is present as the Director of Adoption's representative when they receive the child, and
- provide the prospective adoptive parent(s) with the child's Life Book, Health Care Passport, personal property and mementos.

Chapter 4: Adoption Planning with Birth Parents: Pre-placement and Placement

The standards in this chapter apply only where birth parents are voluntarily planning a ministry arranged adoption under the Adoption Act. Standards for adoptions not arranged by the ministry are covered in Chapters 11 and 12.

Practice Standard 30: Providing Information about the Alternatives to Adoption and Adoption

When birth parent(s) are considering an adoption plan, and before placing a child for adoption, you must provide them with information, in a balanced and non-judgmental manner, about:

- the alternatives to adoption, including:
  - medical options
  - parenting the child, and the support services available to assist them
  - relatives parenting the child
  - the other birth parent parenting the child
  - short-term foster care to allow time to make a permanent plan, and
- adoption.

In addition, you must:

- advise the birth parent(s) of their right to obtain independent legal advice, and
- complete the Birth Parent's or Guardian's Statement of Alternatives to Adoption with birth parent(s) to acknowledge that the information has been discussed.

Practice Standard 31: Working with the Birth Parent(s) of an Aboriginal Child

When the birth parent(s) of an Aboriginal child are voluntarily planning adoption under the *Adoption Act*, in addition to providing information on adoption and its alternatives as described in Practice Standard 30, you must:

- explain the benefits and importance to the child of involving the birth parent(s)' Band or Aboriginal community
- provide information about available Aboriginal support services and, if possible and appropriate, link birth parent(s) with those services, and
- inform birth parent(s) that custom adoption may be recognized by the court as having the same effect as an adoption under the *Adoption Act*.

When the birth parent(s) of an Aboriginal child request placement of the child under the *Adoption Act*, unless the birth parent(s) or the child 12 years of age or older objects, you must make reasonable efforts to involve in discussions about the adoption plan the designated representative of one of the following, as appropriate:

- the Band with which the child is registered or entitled to be registered
- the Aboriginal community identified by the birth parent(s), or
- the Nisga'a Lisims Government if the child is a Nisga'a child.

If the birth parent(s) or the child 12 years of age or older object to a discussion about the adoption plan with the designated representative, you must respect their wishes.

After the birth parent(s) of an Aboriginal child make an adoption plan, you must:

- apply to register the child for status under the *Indian Act* if he or she may be entitled, and

- apply to register the child for membership within his or her Band if he or she may be eligible, or
- apply to register the child for citizenship under the Nisga'a Lisims Government if the child is a Nisga'a child.

Practice Standard 32: Involving and Notifying the Birth Father

You must advise a person who believes he is the birth father of a child who may be placed for adoption:

- of his right to register on the Birth Fathers' Registry
- that if he acknowledges paternity his consent to adoption may be required
- of the options of openness and reunion, and
- of his right to seek independent legal advice.

When a birth father is involved in the adoption process, you must:

- follow all appropriate planning practice standards with him as you would with a birth mother, and
- if adoption remains the plan, obtain his consent (refer to Practice Standard 40).

When a birth mother voluntarily requests adoption planning and the birth father is not involved, before placing the child for adoption, you must:

- discuss with her the importance to the child of naming the birth father
- inform her of the implications of naming or not naming the birth father
- inform her about the Birth Fathers' Registry and its purpose
- advise her of her right to seek independent legal advice
- make reasonable efforts to provide the birth father with notice of the proposed adoption, except in those situations where the pregnancy is the result of sexual assault by the birth father, and
- determine if the consent to adoption is required for the man named by the birth mother as the child's birth father (refer to Practice Standard 39).

When a birth mother is unwilling to name the birth father, you must contact Adoption Branch for further direction on how to proceed.

After making reasonable efforts to notify the man named by the birth mother as the child's birth father of the proposed adoption, wherever possible before placement you must:

- if he cannot be located, apply as early as possible to the court for an order for substitutional service or an order to dispense with notice
- ensure that whenever possible and appropriate he is involved in adoption planning for the child, and
- if adoption remains the plan and his consent is required, obtain his consent or determine whether the circumstances are such that an application should be made to the court to dispense with the consent.

Practice Standard 33: Searching the Birth Fathers' Registry and Providing the Required Notification

In all cases, when birth parent(s) voluntarily request adoption placement for a child under the *Adoption Act*, you must request a search of the Birth Fathers' Registry:

- at the time the child is registered with Adoption Branch, and
- a second time before the child's placement, when no birth father is registered at the time of the first search.

Before placing the child for adoption, you must send notice of the proposed adoption by registered mail to any person identified as the birth father on the Birth Fathers' Registry, to the last known address of that person, and include in the notice the following information:

- the name, address and birth date of the person who is shown as the birth father on the Birth Fathers' Registry
- your name and address as the person giving notice
- the expected or actual date of birth of the child, and
- that the birth mother or guardian intends to place the child for adoption.

Practice Standard 34: Working with Birth Parent(s) of a Child with Special Service or Placement Needs, including Members of a Sibling Group

When birth parent(s) request adoption planning under the *Adoption Act* for a child with special service needs or for siblings, in addition to the requirements of Practice Standard 30, you must:

- obtain information about the child's special circumstances
- in the case of birth parent(s) who are requesting adoption planning for siblings, discuss with the birth parent(s) the importance of providing an opportunity for siblings to establish or maintain a relationship:
  - by placing siblings in the same adoptive home
  - when the child has a sibling previously placed for adoption, by placing the child in the same adoptive home as his or her sibling
  - when it is not possible to place siblings together, through openness agreements wherever possible
- determine whether the child meets the criteria for designation for post-adoption assistance, and
- when there is no reasonable likelihood of an adoption placement, consider bringing the child into care under the *CFCSA*, which in these cases is the preferred course of action rather than taking consents under the *Adoption Act*.

If a child is in care longer than 30 days by adoption consent or by a Birth Parent Pre-placement Agreement prior to an adoption placement, you must complete a comprehensive plan of care for the child.

Practice Standard 35: Working with Birth Parent(s) when Their Decision is Adoption

When birth parent(s) request an adoption placement for their child, you must:

- develop an understanding of the child's family history and the child's current needs
- discuss with the birth parent(s):
  - placing the child with prospective adoptive parent(s) from hospital or, if required, plans for the child's interim care prior to placement with prospective adoptive parent(s)
  - the full range of openness options
  - their entitlement to receive notice of the status of the adoption placement and the adoption order
- request a search of the Birth Father's Registry
- register the child with Adoption Branch
- provide the birth parent(s) with information about approved prospective adoptive parent(s)
- support birth parent(s) in making the decisions they feel are best for themselves and for the child
- notify anyone who has access to a child under a court order, or by an agreement enforceable as a court order under the *Family Relations Act*

- unless the child is a newborn infant, prepare the child for adoption placement as described in Practice Standard 25
- ensure that a pre-placement medical examination has been done on the child, and
- advise birth parent(s) to complete the child's Registration of Live Birth.

Practice Standard 36: Proposing a Placement when the Birth Parent(s) are Planning Adoption under the *Adoption Act*

Prior to proposing the adoption placement of a child voluntarily placed under the *Adoption Act*, you must meet all of the pre-proposal requirements of Practice Standard 27 (unless the child has no special service needs, in which case the comprehensive plan of care is not required).

When proposing the child to the adoption worker for the prospective adoptive parent(s), you must :

- meet all of the proposing requirements of Practice Standard 27 (unless the child has no special service needs, in which case the comprehensive plan of care is not required), and
- provide information about possible legal risks to the adoption placement.

When the prospective adoptive parent(s) have agreed to accept the adoption of the proposed child, you must:

- obtain from the adoption worker for the prospective adoptive parent(s) the completed and signed comprehensive plan of care and letter acknowledging information they have received, unless the child has no special service needs, in which case the comprehensive plan of care is not required
- before beginning pre-placement visits, obtain your supervisor's/team leader's approval of the completed comprehensive plan of care (unless the child has no special service needs, in which case your supervisor's/team leader's approval of the placement is required)
- when birth parent(s) request a copy of the chosen written family assessment, ensure the prospective adoptive parent(s) have consented to this in writing, and
- ensure the legal risks are included on the prospective adoptive parent(s)' letter acknowledging the information they have received.

Practice Standard 37: Transferring Care and Custody with a Birth Parent Pre-placement Agreement

You must ensure the birth parent(s) transfer care and custody to the Director of Adoption with a Birth Parent Pre-placement Agreement if they have made one of the following interim adoption placement plans:

- to place the child with prospective adoptive parent(s) prior to the signing of adoption consents, or
- to place the child temporarily with caregivers prior to the signing of adoption consents.

Prior to entering into a Birth Parent Pre-placement Agreement to place the child temporarily with caregivers, you must:

- determine that placing the child with caregivers is in the child's best interests
- advise the birth parent(s) of their right to obtain independent legal advice
- determine the length of the Birth Parent Pre-placement Agreement, and
- ensure your supervisor/team leader reviews and agrees to the proposed agreement.

After placement of the child with caregivers, you must:

- involve the birth parent(s) in decisions affecting the child and inform them in a timely manner about significant developments in the child's life, and

- unless birth parent(s) have indicated in writing that they do not wish to be notified, make reasonable efforts to promptly notify them in the following circumstances:
  - if it is determined that the placement will not proceed in a home chosen by the birth parent(s) or guardian
  - if it is determined that the placement will not proceed because an adoption home for the child is not available
  - if the child dies, or
  - if the child develops a serious condition or has an injury that may result in the child's death or may cause serious or permanent impairment of the child's health.

If the child remains in care under a Birth Parent Pre-Placement Agreement or by adoption consents longer than 30 days prior to an adoption placement, a comprehensive plan of care is required.

Practice Standard 38: Assisting the Birth Parent(s) when Placing the Child with Prospective Adoptive Parent(s)

In all adoptions where birth parent(s) have requested adoption placement under the *Adoption Act*, you must obtain the required adoption consents (refer to Practice Standard 39).

Prior to placing a child, you must:

- ensure that placement proceeds only when you have determined that the child and prospective adoptive parent(s) are ready (refer to Practice Standard 28)
- ensure that the child who is eligible has been designated for post-adoption assistance
- facilitate any agreed upon openness contact between the birth family, caregivers and prospective adoptive parent(s), and
- prepare the Adoption Placement Agreement for the prospective adoptive parent(s).

At the time of placement, you must:

- facilitate any agreed upon openness contact between the birth parent(s) and prospective adoptive parent(s)
- transfer care and custody to the prospective adoptive parent(s) using the Adoption Placement Agreement
- be present as the representative of the Director of Adoption when the prospective adoptive parent(s) receive the child
- provide the prospective adoptive parent(s) with the child's Health Care Passport, personal property and mementoes.

Chapter 5: Consents

The standards in this chapter describe the consents required for an adoption, the conditions under which they are necessary, and the requirements for obtaining them. They also describe the requirements where a person who has given consent to an adoption decides to revoke consent.

Practice Standard 39: Required Consents

Before placing for adoption a child:

- who is in the continuing custody of a director under the *CFCSA*, or
- who is under the guardianship of a director pursuant to section 29 of the *Family Relations Act*

you must obtain the consent of the child, if he or she is 12 years of age or over and has the capacity to consent. (If it is determined that the child does not have the capacity to consent, refer to Practice Standard 41.)

Before placing for adoption a child whose birth parent(s) are voluntarily planning adoption under the *Adoption Act*, you must:

- obtain the consent of the child, if he or she is 12 years of age or over, and
- make reasonable efforts to obtain the consent of each of the following:
  - the birth mother
  - the father, as defined in section 13(2) of the *Adoption Act*, and
  - any person appointed as the child's guardian.

Before completing all adoptions you must obtain all required consents for the court, including the consent of the Director of Adoption, unless:

- an individual is not capable of consenting
- an order has been granted dispensing with a consent, or
- you are applying to dispense with a consent.

In a direct placement or in an adoption under section 48 of the *Adoption Act* you must advise prospective adoptive parent(s) that it is their and their lawyer's responsibility to determine who must consent and obtain the required consents.

Practice Standard 40: Taking Consent to Adoption

Before taking consent to an adoption, you must ensure that the person consenting:

- has been informed of his or her right to independent legal counsel
- appears to have the capacity to give consent
- has been informed about, and appears to understand, the meaning and effect of consenting to adoption
- if he or she is a child 12 years of age or older, has been informed about the right to consent to a name change
- has been informed about and appears to understand what revocation of consent means and the circumstances under which he or she may revoke consent, and
- appears to be giving consent freely and voluntarily.

When a birth mother is unwilling to name the birth father, prior to taking her consent, you must:

- advise her to seek independent legal advice, and
- contact Adoption Branch for a consultation with Legal Services Branch.

Practice Standard 41: Dispensing with Consent

If you are unable to obtain a required consent, before applying to the court to dispense with the consent, you must determine:

- whether it is in the child's best interests for the adoption to proceed without the required consent, and
- whether the circumstances allow you to dispense with the consent.

You must consult with your supervisor/team leader and Adoption Branch before applying to the court to dispense with a required consent.

You must apply for an order to dispense with a required consent before the application for an adoption order, unless reasonable but unsuccessful efforts have been made to locate the person whose consent is being dispensed with, in which case an application to court dispensing with consent may be made with an application for an adoption order.

Practice Standard 42: Revocation of Consents

Prior to placement, when a birth parent or guardian who had care and custody of a child revokes his or her consent in writing, you must:

- return the child to that person as soon as possible after receiving the written revocation, and
- as soon as possible after receiving the written revocation, make reasonable efforts to locate and inform all other persons who consented.

Prior to placement, when a non-custodial birth parent or guardian revokes his or her consent in writing, you must as soon as possible after receiving the written revocation make reasonable efforts to notify the consenting person who previously had care and custody.

After placement, when a birth mother revokes her consent in writing within 30 days of the child's birth, as the worker for the birth mother you must:

- immediately request that the adoption worker for the prospective adoptive parent(s) notify them of the revocation
- make reasonable efforts to give notice of the revocation to anyone else who consented
- ensure the child is returned to the birth mother as soon as possible after receiving revocation, and
- notify, in writing, your regional manager responsible for adoption and the Director of Adoption.

After placement, as the adoption worker for the prospective adoptive parent(s), when you are informed that the birth mother has revoked her consent within 30 days of the child's birth, you must:

- immediately notify the prospective adoptive parent(s), in person, if at all possible, of the birth mother's revocation
- follow up with written notice of the birth mother's revocation to the prospective adoptive parent(s) by registered mail, and
- assist the prospective adoptive parent(s) in returning the child to the birth mother.

After placement, when a child 12 years of age or over revokes his or her consent, as the adoption worker for the child/prospective adoptive parent(s), you must:

- assume planning for the child, and
- notify, in writing, your regional manager responsible for adoption and the Director of Adoption.

When there are child protection concerns about the return of the child to the birth parent(s) or guardian, you must:

- report the matter immediately to a person delegated under the *CFCSA* to determine if the child is in need of protection
- advise the birth parent(s) or guardian that you have reported the concerns and assist them in making contact with the child protection worker, and
- inform the Director of Adoption in writing of the action taken.

Chapter 6: Adoption Planning with Prospective Adoptive Parents: Pre-placement and Placement

The standards in this chapter describe the pre-placement and placement process for prospective adoptive parent(s). Several of the standards relate to the homestudy process, which must be completed before prospective adoptive parent(s) can be approved for adoption.

The homestudy is defined by the Adoption Regulation as a process having two components:

- **an adoption education component to help prepare the prospective adoptive parent(s) for adoption**
- **a structured family assessment to determine the prospective adoptive parent(s)' ability to provide for the physical and emotional needs of a child**

The results of the homestudy process are summarized in a written family assessment that includes a recommendation on whether to approve the prospective adoptive parent(s) for an adoption placement.

Practice Standard 43: Providing Adoption Information and Accepting the Application to Adopt

When prospective adoptive parent(s) contact the ministry expressing an interest in adoption, you must respond within 7 working days and:

- clarify your responsibilities under the *Adoption Act* and the *CFCSA*, including giving paramount consideration to the child's best interests in all circumstances
- provide them with information about adoption, including:
  - eligibility requirements
  - pre- and post-placement services provided by the ministry
  - services available through licensed adoption agencies, and adoption support groups
  - the regulation of payment of birth parent expenses
  - the children awaiting placement
  - post-adoption assistance
  - the adoption process, including time frames and requirements
  - the homestudy process, explaining that it consists of an education component and an objective, structured family assessment with no guarantee of approval or of an adoption placement
  - openness and access in adoption
  - the importance of preserving the Aboriginal child's cultural identity, and
  - the fee schedule for applicable services.

You must personally interview each applicant to determine:

- whether the applicant is eligible to adopt a child in British Columbia
- in the case where they are applying for a child with special service needs, whether the applicant(s) have a reasonable understanding of the long-term impact of these needs and are prepared to accept the significant behavioural and emotional issues associated with these needs, and
- whether the applicant is Aboriginal.

When prospective adoptive parent(s) submit an application to the ministry for children awaiting placement, you must:

- register the application with Adoption Branch
- begin the homestudy process for:
  - those applying for a specific child in continuing custody awaiting placement
  - those applying for a child in care with special service needs where you have determined that they understand the long-term impact of those needs and are prepared to accept the issues associated with them
- within 10 working days, provide them with the applicable forms and information required for the structured family assessment component of the homestudy process, and
- advise Adoption Branch of the decision to begin the homestudy process.

If the application is for a child with no special service needs or a child with only special placement needs, wait for Adoption Branch to request that you begin the homestudy process.

You must make contact annually with applicants waiting for the homestudy process to begin.

Practice Standard 44: The Homestudy Process: The Adoption Education and Structured Family Assessment Components

In order to approve applicants for adoption, you must complete the education component and structured family assessment component of the homestudy process.

For the educational component of the homestudy, you must ensure that the prospective adoptive parent(s) complete a ministry-approved education program.

For the structured family assessment, you must conduct the assessment according to ministry-prescribed guidelines.

When conducting the structured family assessment, you must:

- gather the following documents:
  - results of prior contact checks
  - the results of all criminal record searches
  - physician's reports
  - a minimum of four references
- conduct a fair and impartial assessment process that includes:
  - individual and joint interviews if there are two applicants
  - interviews of any young children living in the home as part of the interview with their parent(s)
  - interviews separate from those with the parent(s) of any child 7 years of age or older to determine the child's views about the proposed adoption
  - separate, in-person interviews with other members of the household
  - at least one interview with all members of the household together so that you can assess how they relate to each other
  - at least one interview held in the prospective adoptive parent(s) home
- allow for sufficient time to determine the readiness of the prospective adoptive parent(s) to adopt a child with the special service and/or placement needs for which they have applied, and
- complete the requirements for approval as described in Practice Standard 46.

Once the education component and structured family assessment have been completed, you must complete a written family assessment that:

- describes the preparation of the prospective adoptive parent(s) as required in the *Adoption Regulation*

- summarizes the structured family assessment, and
- includes a recommendation as to the prospective adoptive parent(s)' ability to parent by adoption a child with the special service and/or placement needs for which they have applied, and identifies the number and ages of children they are approved to adopt.

You must complete the written family assessment at least 3 months and no longer than 4 months after all required documentation, as described above, has been gathered. If the written family assessment cannot be completed within 4 months, you must:

- document the reasons for the delay, and
- obtain the approval of your supervisor/team leader.

Practice Standard 45: The Homestudy Process for Prospective Adoptive Parent(s) who Have Applied for a Specific Child, for Caregivers and for Experienced Adoptive Parent(s)

You must advise experienced adoptive parent(s) that they may reapply to adopt 12 months after their last child was placed with them for adoption.

When completing the homestudy process for prospective adoptive parent(s) who have applied to adopt a specific child, for approved caregivers or for experienced adoptive parent(s), you must meet all of the requirements of Practice Standard 44, with the following exceptions:

- the adoption education component may be modified to meet the unique preparation needs of approved caregivers and experienced adoptive parent(s)
- results of criminal record searches may be copied from the resource file, and caregivers are advised that before a Notice of Placement is signed new searches will be required if the searches on the resource file are more than 9 months old, and
- if the purpose of the written family assessment is not to aid in the selection of a family and will not be reviewed in conjunction with other written family assessments, then it may be completed in point form.

When the adoption placement of a child is proposed, you must complete the requirements of Practice Standard 50.

In addition, you must advise a caregiver(s)' resource worker well in advance of the child being placed for adoption, so that the resource worker can give the caregiver(s) 60 days' notice of termination as required in the Family Care Home Agreement.

Practice Standard 46: Approval of Prospective Adoptive Parent(s)

When deciding whether to recommend approval of prospective adoptive parent(s) for adoption, you must evaluate whether, as a result of the education component of the homestudy process, they are adequately knowledgeable about adoption and about parenting a child with the needs for which they have applied.

In addition, you must:

- based on the structured family assessment, consider:
  - the strengths, capacity and limitations of the prospective adoptive family
  - the prospective adoptive family's capacity to understand, accept and meet the needs of a child, both at placement and as the child grows and develops
- include in your decision-making a thorough review of all of the information gathered during the structured family assessment, including, but not limited to:
  - the results of all prior contact checks
  - the results of all criminal record searches

- medical information obtained from the Physician's Reports on Adoptive Applicants
- information obtained from a minimum of four references
- the prospective adoptive parent(s)' views about ministry standards regarding behaviour management practices

- upon reaching a decision obtain your supervisor's/team leader's approval, and
- unless the homestudy process has been requested for a specific child, register the written family assessment with Adoption Branch.

Practice Standard 47: Keeping the Written Family Assessment Current

After prospective adoptive parent(s) have been approved for adoption and until an adoption placement occurs, you must request updated information from them:

- annually
- when there has been a change in their circumstances, and
- when they change their request for the age or special needs of a child or in the number of children.

The updated information must be attached to or incorporated into the original written family assessment.

In addition, you must:

- reassess prospective adoptive parent(s) and revise their written family assessment recommendation when there is a change in their circumstances or a change in their request for the age or special needs of a child or in the number of children
- conduct a prior contact check and request new criminal record searches from prospective adoptive parent(s) every two years as part of the yearly update
- attach any yearly updates to the written family assessment
- where there are significant changes in the family's circumstances or when two years has passed since the family's approval, integrate the update into the written family assessment, and
- obtain your supervisor's signature on any updates that require a reassessment or new recommendation or that are integrated into the written family assessment.

In order to keep all information on prospective adoptive parent(s) current, you must begin a new homestudy process:

- when a new child becomes part of the prospective adoptive family either through birth or through adoption, and/or
- when a written family assessment has been in abeyance and/or closed for a total of 2 years.

Practice Standard 48: Accepting and Registering Non-ministry Written Family Assessments and Completing Prior Contact Checks for B.C. Licensed Adoption Agencies

When accepting and registering written family assessment completed by non-ministry staff, you must:

- provide adoption information to the applicant as required in Practice Standard 43
- determine if the prospective adoptive parent(s) are eligible to adopt in B.C. (refer to Practice Standard 43)
- review the written family assessment to ensure that it meets all requirements as described in Practice Standards 44 and 45 and section 3 of the *Adoption Regulation* unless the assessment was approved by a B.C. licensed adoption agency for a child with no special service needs

- complete any education component and assessment component requirements that are missing from the homestudy process, and
- unless the homestudy process was requested for a specific child, register the written family assessment with Adoption Branch.

Upon request from a British Columbia licensed adoption agency and with the written consent of the prospective adoptive parent(s), you must complete a prior contact check of prospective adoptive parent(s).

Practice Standard 49: Preliminary Discussions with Prospective Adoptive Parent(s) about a Specific Child

During preliminary discussions about a possible adoption placement of a specific child, and prior to the proposal, you must:

- obtain information about the child from the child's worker
- discuss the child's information with the prospective adoptive parent(s) to determine their interest
- ensure that the prospective adoptive parent(s)' written family assessment is current by:
  - requesting that they complete the Annual Adoption Homestudy Update Report if the written family assessment or the last update was completed more than 3 months ago
  - conducting a prior contact check
  - obtaining from them the results of a new criminal record search if the most recent search is more than 9 months old
- ensure that the prospective adoptive parent(s) have been approved for a child with the same types of special needs as the child who will be proposed.

Practice Standard 50: The Adoption Proposal and Preparing for Placement

When an adoption placement of a child is proposed, you must:

- ensure that all information on the child provided by the child's worker is shared with the prospective adoptive parent(s) and their physician
- ensure that prospective adoptive parent(s) have the opportunity to consult with medical professionals and/or others about the child's care
- assess the prospective adoptive parent(s)' ability and readiness to meet the specific needs of the child
- complete a statement, for the prospective adoptive parent(s) to sign, that acknowledges the documentation and information that has been provided about the birth parent(s) and the child
- unless the child proposed has been voluntarily placed under the *Adoption Act* and has no special service needs as defined in section 26(c) of the *Adoption Regulation*:
  - as participants in the review of the child's comprehensive plan of care, determine with the prospective adoptive parent(s) their plan to meet the child's needs
  - complete the "Description of services to be provided based upon the child's needs" and "Target date" categories of the child's non-identifying comprehensive plan of care
  - obtain your supervisor's/team leader's approval and signature on the comprehensive plan of care.

After the prospective adoptive parent(s) have confirmed their interest in parenting the child you must:

- forward to the child's worker:
  - a copy of the prospective adoptive parent(s)' letter of acknowledgement

- the completed comprehensive plan of care, if required

- if the child has special service needs, determine with the child's worker and both your supervisors/team leaders whether the prospective adoptive parent(s) can meet the special needs of the child
- if the child does not have special service needs, obtain the approval of your supervisor/team leader for the placement to proceed
- negotiate the terms of openness agreements and where possible complete openness agreements involving children in care, and
- arrange pre-placement visits and placement with the child's/birth parent's worker according to the written plan
- conduct a new prior contact check (including a check for protocol investigations) if the one completed at time of proposal is more than 30 days old.

When it has been determined that the prospective adoptive parent(s) can meet the needs of the child, the placement of the child must occur within 6 months. If the child cannot be placed within 6 months, you must document the reasons and obtain the approval of your supervisor/ team leader.

Chapter 7: Post-adoption Assistance

The standards in this chapter describe the financial assistance and access to other support services available to families with children placed by the ministry who have special service or placement needs.

If a child is designated, and the adoptive family meets the eligibility requirements, they can enter into a post-adoption assistance agreement with the Director of Adoption for services or funding.

Practice Standard 51: Assessing Eligibility for Post-adoption Assistance

When a family that has adopted a child after November 4, 1996, or is considering adopting a specific child, or had an agreement after November 4, 1996 to receive assistance under section 7 of the *Assisted Adoption Regulation (372/89)* applies for post-adoption assistance, you must determine whether the family is eligible for assistance on the basis of the following criteria:

- the child is or is eligible to be a "designated child" as described in Practice Standard 24
- the designated child and adoptive parent(s) have a demonstrated need for one or more of the services described in section 28 of the *Adoption Regulation* (refer to Practice Standard 52), and
- the family has a demonstrated financial need as determined by an income test.

Practice Standard 52: Determining the Appropriate Post-adoption Assistance

When a child has been designated for post-adoption assistance, and a family is assessed as eligible for assistance through the income test, you must determine the appropriateness of the following types of assistance:

- specific service payments: financial assistance to purchase services for the child or the family
- direct service support: access to services provided by the ministry that address the child's or family's needs
- maintenance: payments to financially assist families who adopt children with special placement needs in the following circumstances:
  - the child is a member of a family group that should be placed together, either jointly or successively
  - the child has established significant emotional ties with a person who proposes to adopt the child
  - the child has cultural ties that require a culturally compatible placement or support, or
  - the family adopted the child prior to November 4, 1996 and had an agreement to receive maintenance payments after that date.

When determining the appropriate post-adoption assistance, you must ensure that:

- financial assistance is not provided if the required service or assistance is available to the family at no cost from another source
- if the required service is available at a reduced cost to the family from another source, financial assistance does not exceed the amount of the reduced cost
- payment for services does not exceed the cost of services provided to a child in the care of a director under the *CFCSA*, and
- maintenance payments do not exceed the basic rate for foster care.

Practice Standard 53: Negotiating and Completing a Post-adoption Assistance Agreement

When completing a post-adoption assistance agreement with prospective adoptive parent(s) or adoptive parent(s), you must:

- negotiate and develop a service and payments plan with them
- obtain approval for the plan from your supervisor/team leader
- ensure prospective adoptive parent(s) or adoptive parent(s) have been informed about procedures for accountability
- prepare a written post-adoption assistance agreement with the prospective adoptive parent(s) or adoptive parent(s), in accordance with post-adoption assistance regulations, which sets out the financial assistance or other assistance to be provided and the conditions upon which the assistance will be provided
- send a draft agreement to Adoption Branch for approval, and
- after the draft agreement has been approved, obtain the signature(s) of the prospective adoptive parent(s) or adoptive parent(s) on the agreement and forward it to Adoption Branch for signature.

Practice Standard 54: Modifying, Renewing and Terminating Post-adoption Assistance Agreements

When you receive a request to modify a Post-adoption Assistance Agreement with adoptive parent(s), you must:

- review the agreement with the adoptive parent(s), and
- determine if the designated child and adoptive parent(s) have a demonstrated need for the service, as outlined in Practice Standard 51.

When you have determined that the adoptive parent(s) are eligible to have their agreement modified:

- review the receipts for specific services purchased during the term of the agreement if the receipts are related to the requested changes
- negotiate the terms of the modification agreement
- prepare a modification agreement
- obtain approval for the modification agreement from your supervisor/team leader
- request approval from Adoption Branch by sending a draft modification Agreement with information regarding how the new services will meet the needs of the child and the required professional recommendation, and
- when the modification agreement has been approved, obtain the signatures of the adoptive parent(s) on the agreement and forward it to Adoption Branch for signature.

Prior to the termination date of an existing agreement, contact the adopting parent(s) and if they request that their agreement be renewed, meet with them to :

- review the terms of the existing agreement and to develop a new agreement in accordance with post-adoption assistance regulations, and
- determine whether the child and family continue to be eligible as described in Practice Standard 51 and whether the terms of the agreement remain appropriate.

When you have determined that the adoptive parent(s) are eligible to have their agreement renewed, you must:

- review the receipts for the specific services purchased during the previous term of the agreement

- if receipts for the specific services purchased during the previous term of the agreement are for less than the amount outlined in the agreement, deduct the difference from the amount payable under the new agreement
- negotiate a revised service and payments plan with the adoptive parent(s)
- ensure the term of the new agreement begins after the end of the term of the previous agreement
- obtain approval for the revised plan from your supervisor/team leader
- inform the adoptive parent(s) about procedures for accountability
- prepare a new written agreement with the adoptive parent(s) that sets out the financial assistance or other assistance to be provided, and the conditions under which they will be provided
- send a draft agreement to Adoption Branch for approval, and
- when the draft agreement has been approved, obtain the signatures of the adoptive parent(s) on the agreement and forward it to Adoption Branch for signature.

When you are notified of a change in the adoptive parent(s)' circumstances, you must review the change to determine if eligibility for assistance continues and whether the agreement is to be modified or terminated.

When determining whether to terminate an agreement:

- review the terms of the agreement that outline when the agreement automatically terminates
- review the eligibility requirements as outlined in Practice Standard 51, and
- consult with your supervisor/team leader and Adoption Branch when the child is no longer in the custody of the adoptive parent(s) and the circumstances regarding termination of the agreement are not clearly outlined in the agreement.

When terminating a post-adoption assistance agreement, you must provide 30 days' written notice to the adoptive parent(s).

Chapter 8: Post-placement Services

The standards in this chapter clarify the roles and responsibilities of each of the workers providing adoption services after an adoption placement and before the adoption order is granted.

Practice Standard 55: Post-placement Responsibilities of the Child's Pre-placement Worker to a Child in Continuing Custody

After you have placed for adoption a child in the continuing custody of a director under the CFCSA, you must:

- notify the Public Guardian and Trustee of British Columbia of the child's placement
- cancel medical coverage for the child effective the last day of the month in which the child was placed for adoption
- within 30 days of placement, transfer the child's file to the district office supervising the adoption placement, including all documents and recordings that substantiate that the pre-placement requirements of the *Adoption Act* have been met and that are required to complete the adoption
- before the adoption order is granted, complete any openness agreements that were not completed prior to placement, and
- when required, if you have not yet done so, provide written notice of the application for an adoption order to any person with access to the child.

Practice Standard 56: Post-placement Responsibilities of the Birth Parent(s)' Adoption Worker to the Child and Birth Parent(s) after Voluntary Placement

When birth parent(s) have voluntarily planned adoption under the *Adoption Act*, after the child has been placed for adoption, you must:

- take the birth parent(s)' consents to the adoption if you have not yet done so
- when requested, provide support and assistance to birth parent(s) or refer them to an appropriate community service
- obtain a certified copy of the child's Registration of Live Birth
- if required, and if you have not yet done so, apply to the court to:
  - dispense with notice to the birth father as required in Practice Standard 32
  - dispense with a required consent as required in Practice Standard 41
- unless the birth parent(s) have indicated in writing that they do not wish to be notified, make reasonable efforts to promptly notify them of the status of the adoption placement in any of the following circumstances:
  - after notice of placement has been received from prospective adoptive parent(s)
  - after termination of a placement due to a disruption of the placement
  - after the death or critical injury of the child
  - when the adoption order is made
- unless already notified after consents were signed, notify the Public Guardian and Trustee of British Columbia of the child's placement
- if the child was brought into care, cancel the child's medical coverage effective the last day of the month in which the child was placed for adoption
- within 30 days after placement, transfer to the district office supervising the adoption placement, the child's file and relevant information from the birth parent(s)' (AS) file, including all documents and recordings that substantiate that the pre-placement requirements of the *Adoption Act* have been met and that are required to complete the adoption

- complete any openness agreements after consents are signed and before the adoption order is granted, and
- when required, if you have not yet done so, provide written notice of the application for an adoption order to any person with access to the child.

When a birth mother revokes her consent in writing after the child has been placed for adoption and within 30 days of the child's birth, you must meet the relevant requirements of Practice Standard 42.

Practice Standard 57: Post-placement Responsibilities of the Prospective Adoptive Parent(s)' Adoption Worker to the Child and the Prospective Adoptive Parent(s)

In exercising your guardianship role with the child, you must ensure that the rights of the child in care are affirmed and respected and that all applicable guardianship duties and responsibilities as specified in *Practice Standards for Guardianship* are carried out, including but not limited to:

- maintaining regular contact with the child and prospective adoptive family by:
  - contacting the prospective adoptive parent(s) by telephone or visit within one working day after placement
  - visiting the child and prospective adoptive family in their home within 7 calendar days after placement
  - contacting prospective adoptive parent(s) of a child with special service needs at least once each month, either by telephone or in person, and visiting the child and prospective adoptive family in their home at least 2 additional times within the 6 month post- placement period
  - visiting an infant with no special needs and the prospective adoptive family in their home at least 2 additional times within the 6 month post-placement period
  - if the post-placement period extends beyond 6 months, visiting the child and prospective adoptive family in their home at least every 90 days
- assisting the prospective adoptive family in meeting the child's specific needs as described on the comprehensive plan of care prepared at the time of proposal
- consulting with the child about his or her views of the adoption placement and, if the child is at least 7 years of age and less than 12, ensuring that a written report on the child's views is prepared for the adoption completion, and
- reviewing the child's comprehensive plan of care if the post-placement period extends beyond 9 months.

In addition, during the post-placement period you must:

- ensure that Notice of Placement is provided by the prospective adoptive parent(s) within 14 days of placement
- where applicable, negotiate and complete any Post-adoption Assistance Agreements that were not negotiated with prospective adoptive parent(s) prior to placement
- provide information to prospective adoptive parent(s) of an Aboriginal child about the child's status under the *Indian Act* or the child's citizenship under the Nisga'a Final Agreement
- complete the Recommendation for Child Tax Benefit
- obtain the approval of your regional manager responsible for adoption if the prospective adoptive parent(s) plan to take the child outside of British Columbia for an extended visit or to travel outside of Canada
- ensure that anyone who has access to the child under a court order, or by an agreement enforceable as an order under the *Family Relations Act*, receives at least 30 days written notice of the application for an adoption order
- co-ordinate the completion of any openness agreements that were not completed prior to placement

- gather information and documentation for the completion of the adoption
- determine when to complete the adoption
- if the prospective adoptive parent(s) request that the residency requirement be shortened or dispensed with:
  - determine whether it is in the child's best interests, and
  - obtain the approval of the Director of Adoption
- complete the adoption:
  - wherever possible at the conclusion of the 6 month residency requirement, and
  - within 12 months of placement.

Practice Standard 58: Responsibilities of the Prospective Adoptive Parent(s)' Adoption Worker when an Adoption Disrupts or when Reportable Circumstances Occur During the Post-placement Period

During the post-placement period, when there is a risk that an adoption may disrupt, you must:

- consult with the child
- consult with the prospective adoptive parent(s)
- consult with your supervisor/team leader
- determine whether it is in the child's best interests to proceed with the adoption placement, and
- where it is in the child's best interests to proceed with the adoption placement and where prospective adoptive parent(s) are in agreement, initiate intensive services to prevent the disruption.

When an adoption disrupts, you must:

- inform and consult with your supervisor/team leader
- if on the rare occasion that the disruption involves one or more children in a sibling group but does not involve all members of the sibling group, obtain authorization from your regional manager responsible for adoption to separate siblings
- assume planning for the child
- notify, in writing, your regional manager responsible for adoption and the Director of Adoption, and
- request that the adoption worker for birth parent(s) who consented to the child's adoption under the *Adoption Act* make reasonable efforts to notify the birth parent(s) unless they have indicated in writing that they do not wish to be notified.

During the post-placement period, if a reportable circumstance as defined in Guardianship Practice Standard 13 occurs, you must:

- meet all requirements of that standard
- if the child is in the care of the Director of Adoption, provide a copy of the required report to the Director of Adoption, and
- unless birth parent(s) who consented under the *Adoption Act* have indicated in writing that they do not wish to be notified, inform their adoption worker and request that the worker notify the birth parent(s) in the case of:
  - the child's death, or
  - a serious injury or condition that may result in the child's death or may cause serious or permanent impairment of the child's health.

If you are informed that the child 12 years of age or over, wishes to revoke his or her consent, or that a birth mother has revoked her consent after the child has been placed for adoption, you must meet the relevant requirements of Practice Standard 42.

Chapter 9: Adoption Completion

The standards in this chapter describe the documents and reports necessary to inform the Director of Adoption and the court about the readiness of the child and the prospective adoptive parent(s) for the adoption to be completed. They also cover the requirements for distributing the adoption order and providing notification of the adoption.

In addition, this chapter describes the requirements when the Director of Adoption is requested by the court to complete a report for a step-parent, relative or adult adoption and in cases when an adoption under article 27 of the Hague Convention is converted to an adoption under the Adoption Act. Other than preparing a court-ordered report when requested, the ministry has no role in these adoptions.

Practice Standard 59: Preparing and Assembling the Required Documents for Adoption Completion for Ministry Arranged Adoptions

At the conclusion of the post-placement period, you must:

- prepare the following required documents for the court package:
  - the Praecipe
  - the Affidavit
  - the Birth Parent Expenses Affidavit
  - the Post-placement Report
  - the Summary Recording
  - documentation to amend the birth registration
  - an application on behalf of the prospective adoptive parent(s) for the child's birth certificate in the child's name by adoption
  - the adoption order
- gather the following additional required documents for the court package:
  - where applicable, a certified copy of the continuing custody order or of the permanent order if the child is in the permanent care of an extra-provincial child welfare authority
  - where applicable, an order to dispense with notice to the birth father or an application to dispense with this notice
  - all required consents or orders dispensing with consent
  - a certified copy of the child's birth registration or, if it cannot be obtained, satisfactory evidence of the facts related to the child's birth
  - if the child is at least 7 years of age and less than 12, a copy of the report of the child's views, and
  - where applicable, copies of any access orders or orders to terminate an access order
- obtain your supervisor's/team leader's approval of the above court package prior to forwarding it to Adoption Branch for adoption completion.

Practice Standard 60: Preparing the Report on a Younger Child's Views

After a child who is at least 7 and less than 12 years of age has been placed for adoption and before applying to the court for an adoption order, you must privately interview the child, so that the child's views on the adoption can be heard and recorded.

When conducting the interview and writing the Report on a Younger Child's Views, you must:

- determine the child's views and understanding of the following:

- the effect and meaning of adoption
- the proposed adoption and any proposed change of the child's name
- relationships with other persons who are significant in the child's life
- where applicable, how his or her racial, cultural, linguistic and spiritual identity can be maintained

• provide the above information within the report and in addition include:
- your name and occupation
- confirmation that you met with the child at a place and in a manner that allowed the child to freely express his or her views about the adoption
- identifying information about the child and the prospective adoptive parent(s), and particulars respecting the interview, and

• obtain your supervisor's/team leader's approval and signature on the report.

You must submit the report to the court when applying for an adoption order.

Practice Standard 61: Preparing the Summary Recording

Before completing the Summary Recording, you must complete a current prior contact check on the prospective adoptive parent(s).

To assist the Director of Adoption in making a recommendation to the court as to whether an adoption order should be made, you must prepare a Summary Recording containing:

- the observations, assessments and facts upon which the Post-placement Report is established, and
- information as to whether the requirements of the *Adoption Act* have been met.

Practice Standard 62: Preparing the Post-placement Report for Ministry Arranged Adoptions

At the conclusion of the post-placement period, you must prepare a written report for filing with the court which provides all essential information necessary to enable the court to determine if granting the adoption order is in the best interests of the child, and which contains the following:

- the child's full name and birth date as recorded on his or her Registration of Live Birth
- the date the child was placed with the prospective adoptive parent(s)
- unless the child was voluntarily placed under the *Adoption Act*, information about the legal status of the child
- confirmation that the required consents have been obtained or an explanation as to why a required consent was not obtained
- where applicable, information about any discrepancies in the documents in the court package
- the child's placement history
- if there is an existing access order:
  - confirmation that written notice was provided to any person who has access rights to the child by court order or by an agreement under the *Family Relations Act*, and
  - any information or views that may be helpful to the court in determining whether an access order should continue, vary or be terminated in accordance with the best interests of the child
- information about the applicant(s)
- confirmation as to whether the following requirements of the *Adoption Act* were met:
  - for all adoptions, section 6

- for Aboriginal children, sections 3(2) and 7
- a recommendation from the Director of Adoption:
  - that an adoption order be granted
  - about any issue related to the adoption, including whether to:
  - continue, vary or terminate an access order, and/or
  - alter or dispense with the 6 month residency requirement.

You must ensure that the Post-placement Report is current, and if the report is filed with the court more than 3 months after its completion, a written certificate is required to confirm or modify the report.

Practice Standard 63: Completing a Court-ordered Report for a Step-parent, Relative or Adult Adoption or for the Conversion of a Hague Convention Adoption

When requested by the court, you must:

- conduct an inquiry
  - into an adoption of a child by a relative
  - into an adoption of a child by a step-parent
  - into an adult adoption, or
  - when there is an application to court to convert an adoption order made in the child's country of origin where the Hague Convention is in force and where the order does not terminate any pre-existing parent-child relationship, and
- provide the court with a written report of the results of your inquiry.

Practice Standard 64: Distributing the Adoption Order and Birth Certificate or Statement Respecting Particulars of Birth, and Making the Required Notifications for Ministry Arranged Adoptions

As the adoption worker providing adoption services to the adoptive parent(s), when the adoption order has been granted, you must:

- distribute the adoption order and Birth Certificate or Statement Respecting Particulars of Birth, in the child's name by adoption, to the appropriate parties
- notify the following, as appropriate, that the adoption order has been granted:
  - the adoption worker providing adoption services for birth parent(s) who consented under the *Adoption Act*
  - workers for any participants in openness agreements
  - the Public Guardian and Trustee of British Columbia
  - the Criminal Injury Compensation Program
  - the Department of Indian Affairs and Northern Development, or if the child is a Nisga'a child, the Nisga'a Lisims Government
- finalize the openness exchange procedures, when applicable, as described in Practice Standard 15.

As the adoption worker providing adoption services for birth parent(s) who consented under the *Adoption Act*, when the adoption order has been granted you must:

- notify the birth parent(s) unless they indicated they did not wish to be notified, and
- finalize the openness exchange procedures, when applicable, as described in Practice Standard 15.

Chapter 10: Ministry Arranged Interprovincial Adoptions

Procedures for the adoption of children in care outside of their guardian province are set out in the Provincial/ Territorial Protocol on Children and Families Moving Between Provinces and Territories (the interprovincial protocol). Schedule C (Adoptions) of the protocol enables each jurisdiction to fulfil its own policy and legislative requirements, and assists provinces in collaborating on the adoption process when there are differences in legislation and procedures. More information about the interprovincial protocol is available on MCF Connect (Intranet).

The interprovincial protocol includes a process by which applicants who have applied to adopt a child in care in one province can have their application accepted in the province to which they are moving. For details, refer to Practice Standard 43.

The standards in this chapter apply to children in care. For the interprovincial adoption of a child who is not in care, refer to Chapter 12.

Practice Standard 65: Pre-placement and Placement Responsibilities When Placing a B.C. Child in Care in Another Province

When you receive an inquiry from prospective adoptive parent(s) or a child welfare authority in another province about the possible adoption placement of a specific B.C. child in care, you must, within 30 days:

- advise if the child is available for adoption and whether the prospective adoptive parent(s) might be considered as a possible adoption placement for the child
- if the placement seems viable:
  - provide information about the Post-adoption Assistance Program, and
  - request from the provincial child welfare authority a preliminary assessment of the prospective adoptive parent(s) to estimate their capacity to meet the needs of the child.

When planning for the adoption of a B.C. child in another province, you must:

- consult with the receiving province, and if the placement seems viable, agree to a tentative plan about the proposed placement
- provide the receiving province with written notice of the proposed adoption plan, approved by your regional manager responsible for adoption
- obtain written acceptance of the adoption plan from the receiving province
- where applicable, negotiate a Post-adoption Assistance Agreement with the prospective adoptive family, and
- meet all applicable practice standards in Chapter 3.

Practice Standard 66: Post-placement Responsibilities of the Child's Worker to a B.C. Child Placed in Another Province

After placing a B.C. child in care in another province, you must request from the receiving province:

- notice of placement
- progress reports
  - an initial report to be received no later than the fifth month after placement
  - if the adoption is not completed within 6 months, every 6 months thereafter
  - a final report to be completed prior to completion.

In addition, you must:

- for a child in continuing custody, meet all requirements of Practice Standard 55 except for cancelling the child's medical coverage
- when birth parent(s) have voluntarily placed the child under the *Adoption Act*:
  - comply with the receiving province's post-placement requirements to birth parent(s), and
  - meet the applicable requirements of Practice Standard 56 except for cancelling the child's medical coverage
- where applicable, finalize a Post-adoption Assistance Agreement
- negotiate with the receiving province a completion date at the conclusion of 6 months where at all possible
- if there is a disruption of the placement, negotiate with the receiving province around planning for the child, and
- review the child's comprehensive plan of care, in consultation with the receiving province, if the post-placement period extends beyond 9 months.

When prospective adoptive parent(s) residing in B.C. plan to move to another province during the post-placement period with a child in care who was placed with them for adoption, and provide you with written consent, you must:

- provide 30 days' prior written notice to the receiving province
- develop in collaboration with the receiving province a written plan for completion of the adoption
- forward to the receiving province within 30 days of the family's move:
  - information and documentation on the child, and
  - information on the prospective adoptive parent(s)
- obtain, if possible, written acceptance of the adoption plan from the receiving province.

Practice Standard 67: Responsibilities of the Child's Worker when the Adoption of a B.C. Child in Care is Completed in Another Province

Prior to the end of the post-placement period, you must:

- request a final progress report and recommendation from the receiving province
- when the final progress report recommends completion of the adoption, and you have determined that the adoption should be completed, forward it to Adoption Branch with a memo summarizing the placement and requesting the Director of Adoption's consent, and
- forward to the receiving province any additional documents required to complete the adoption.

After receiving the adoption order from the receiving province, you must provide the required notifications and distribute the adoption order as required in Practice Standard 64.

Practice Standard 68: Pre-placement and Placement Responsibilities when a Child in the Care of a Provincial or Territorial Child Welfare Authority is Placed in B.C.

When you receive an inquiry from an originating province about the possibility of placing a child in their care with prospective adoptive parent(s) who reside in B.C., you must, within 30 days:

- carry out a preliminary assessment to determine the prospective adoptive parent(s)' interest in adopting the child and capacity to meet the needs of the child
- consult with your supervisor/team leader and regional manager responsible for adoption as to whether your community has the necessary services to support the adoption and whether your region is able to supervise the placement, and
- advise the originating province in writing if the placement seems viable and if you will conduct a written family assessment on the prospective adoptive parent(s).

When assuming responsibility for the placement in B.C. of a child in the care of another province or territory, you must:

- consult with the originating province about the proposed placement
- obtain from the originating province written notice of the proposed adoption plan
- provide the originating province with written acceptance of the proposed adoption plan
- within 6 months, complete a written family assessment on the prospective adoptive parent(s) with a recommendation regarding the placement, and
- prior to placement, meet all requirements of Practice Standard 50.

Practice Standard 69: Post-placement Responsibilities of the Adoption Worker for the Prospective Adoptive Parent(s) when a Child in the Care of a Provincial or Territorial Child Welfare Authority is Placed in B.C.

After a child in the care of a provincial or territorial child welfare authority is placed in B.C., you must:

- meet the applicable requirements of Practice Standards 57 and 58
- register the child with Adoption Branch
- provide the originating province with:
  - a copy of the prospective adoptive parent(s)' notice of placement, and
  - progress reports.

If the child indicates that he or she wishes to revoke consent, you must meet the requirements of Practice Standard 42.

If there is a disruption of the placement, in addition to meeting the applicable requirements of Practice Standard 58, you must contact the child's originating province.

When prospective adoptive parent(s) residing in another province move to B.C. during the post-placement period with a child who was placed with them for adoption, at the request of the originating province, you must:

- develop, in collaboration with the originating province, a plan for completion of the adoption
- meet any of the requirements listed above that apply
- upon request from the originating province, confirm in writing that services to supervise the child and complete the adoption, based on the plan, will be provided, and
- maintain contact with the prospective adoptive parent(s) regarding the need for an adoption subsidy, and forward reports to the originating province as required.

Practice Standard 70: Completing the Adoption in B.C. of a Child in the Care of a Provincial or Territorial Child Welfare Authority

Prior to the end of the post-placement period and within one year of the child's placement, you must:

- complete the Summary Recording as described in Practice Standard 61
  - include a recommendation as to whether the adoption should be completed
  - forward a copy to the originating province as the final progress report
- prepare and gather all documents for completion as described in Practice Standard 59, including:
  - the Report on a Younger Child's Views, if the child is at least 7 years of age and less than 12 as required in Practice Standard 60, and
  - the Post-placement Report as required in Practice Standard 62.

After receiving the adoption order you must:

- provide the required notifications and distribute the adoption order as required in Practice Standard 64, and
- within 30 days send copies of the adoption order and the Post-placement Report to the originating province.

Chapter 11: Direct Placements

The Adoption Act provides birth parent(s) with the option of placing their child directly with prospective adoptive parent(s) whose identities are known to them rather than with prospective adoptive parent(s) approved by the ministry or by a licensed British Columbia adoption agency.

The standards in this chapter define the role and responsibilities of adoption workers providing adoption services in a direct placement. As the ministry's adoption program focuses on the adoption of children in the ministry's care, in most cases the involvement of adoption workers in a direct placement is limited to providing information to the inquiring public and advising them to access services from a licensed British Columbia adoption agency.

Practice Standard 71: Providing Information and Meeting the Pre-placement Requirements with Prospective Adoptive Parent(s) in a Direct Placement

When prospective adoptive parent(s) or guardian(s) are considering an adoption by direct placement you must:

- provide them with information about:
  - direct placements
  - the services provided by the ministry
  - the pre-placement requirements of the *Adoption Act*, and
- advise them that it is their responsibility and that of their lawyer to ensure they meet the pre-placement requirements.

As soon as possible after receiving notice from prospective adoptive parent(s) of their intent to receive a child into their home for adoption, you must:

- arrange for an adoption worker to meet with the birth parent(s) to provide information about adoption and the alternatives to adoption and to obtain as much information as possible about the medical and social history of the child and the child's birth family
- complete the pre-placement assessment report:
  - give the prospective adoptive parent(s) a copy
  - ensure that the birth parent(s) are provided with a copy
- provide prospective adoptive parent(s) with information about the medical and social history of the child and the child's birth family, and preserve a copy for the child, and
- after completing the above, obtain your supervisor's/team leader's signature acknowledging that your responsibilities under section 8 of the *Adoption Act* have been fulfilled.

Practice Standard 72: Completing the Pre-placement Assessment Report in a Direct Placement

When completing the Pre-placement Assessment Report on prospective adoptive parent(s) in a direct placement, you must:

- include information gathered from the following sources:
  - the Pre-placement Assessment Application
  - criminal record searches
  - prior contact checks
  - physician's reports
  - a minimum of four references
- conduct an impartial assessment process which includes:

- at least one personal interview with each prospective adoptive parent and one joint interview if there are two applicants
- at least one interview with all members of the family together
- at least one interview held in the prospective adoptive parent(s)' home
- a private, separate interview with each child living in the home, and

- prepare a written report, which includes all of the requirements outlined in section 7 of the *Adoption Regulation*.

You must complete the pre-placement assessment within 4 months after all required documentation, as described above, has been gathered. If the pre-placement assessment cannot be completed within 4 months, you must:

- document the reasons for the delay, and
- obtain the approval of your supervisor/team leader.

Practice Standard 73: Meeting the Pre-placement Requirements with the Birth Parent(s) in a Direct Placement

When providing adoption services to birth parent(s) in a direct placement you must provide information about:

- adoption and the alternatives to adoption
- direct placements and the pre-placement requirements, and
- their right and opportunity to seek independent legal advice.

Prior to placement, you must:

- obtain as much information as possible about the medical and social history of the child and the child's birth family:
  - preserve the information for the child, and
  - ensure that the prospective adoptive parent(s) are provided with the information
- ensure the child:
  - has been counselled about the effects of adoption
  - if 12 years of age or over, has been informed about the right to consent to the adoption
- provide the birth parent(s) with a copy of the Pre-placement Assessment Report on the prospective adoptive parent(s), and
- after completing the above, obtain your supervisor's/team leader's signature acknowledging that your responsibilities under section 8 of the *Adoption Act* have been fulfilled.

Practice Standard 74: Post-placement Responsibilities and Completing the Post-placement Report in a Direct Placement Adoption

After receiving written notice that a child has been placed by direct placement in the home of prospective adoptive parent(s) for the purpose of adoption, you must:

- determine whether the pre-placement requirements have been met
- if the pre-placement requirements were not met:
  - complete the pre-placement requirements of Practice Standard 71 as soon as possible
  - report the contravention to the Director of Adoption (refer to Practice Standard 9)
- visit the prospective adoptive parent(s) in their home within 5 working days after receiving notice
- inform the prospective adoptive parent(s) and/or their lawyer of the post-placement requirements.

When protection concerns are identified during the post-placement period, you must:

- report the matter immediately to a person designated under the *CFCSA* to determine if the child is in need of protection
- consult with your supervisor/team leader, and
- prepare a written report on the action taken for your supervisor/team leader and for the Director of Adoption.

At the conclusion of the post-placement period, and after receiving written notice of an application for an adoption order, you must:

- obtain required documents and information in preparation for completion of the Post-placement Report
- prepare:
  - if applicable and where requested, a Report on a Younger Child's Views
  - the Summary Recording, and
  - the Post-placement Report, which includes a recommendation from the Director of Adoption about whether an adoption order should or should not be granted, or a statement that there is insufficient information to make the recommendation
- complete the adoption:
  - wherever possible at the conclusion of the 6 month residency required under the *Adoption Act*, and
  - within 9 months of placement.

Chapter 12: Non-ministry Interprovincial and Intercountry Adoptions

The standards in this chapter relate to the adoption by residents of British Columbia of children from outside the province, who are not in the care of a provincial or territorial child welfare agency. In most cases the involvement of adoption workers in interprovincial or intercountry adoptions is limited to providing information to inquiries from prospective adoptive parents and advising them to access services from licensed British Columbia adoption agencies.

While the Adoption Act does not require the ministry to complete the homestudy process for interprovincial and intercountry adoptions under section 48, it does require that the ministry provide approval when prospective adoptive parent(s) have met all of the pre-placement requirements of section 48.

Practice Standard 75: Providing Information about Interprovincial and Intercountry Adoption

When prospective adoptive parent(s) are considering an intercountry adoption or an interprovincial adoption of a child who is not in the care of a provincial or territorial child welfare authority, you must provide them with information about the following:

- interprovincial or intercountry adoption, as applicable
- applicable services provided by the ministry and by licensed British Columbia adoption agencies
- children in the care of the ministry awaiting placement.

If prospective adoptive parent(s) request information regarding the adoption of a child in the care of a child welfare authority in another province or territory, refer to Practice Standard 68.

Practice Standard 76: Requirements to be Met Before Bringing a Child into B.C. to be Adopted Under Section 48 of the *Adoption Act*

When prospective adoptive parent(s) are considering the adoption of a child under section 48, you must :

- provide them with information about:
  - adoption under section 48
  - the pre-placement requirements of the *Adoption Act*
  - the applicable services provided by the ministry
- advise them it is their and their lawyer's responsibility to ensure they have met the pre-placement requirements.

After receiving written notice from prospective adoptive parent(s) of their intent to bring a child into British Columbia for adoption, you must:

- provide the prospective adoptive parent(s) with the information and documents to assist them in meeting the requirements of section 48, and
- advise them of their post-placement responsibilities.

Practice Standard 77: Granting Approval for a Child to be Brought into B.C. for Adoption, and Preserving the Child's Medical and Social History

After receiving from prospective adoptive parent(s) written notice and request for approval to bring a child into British Columbia to be adopted, and prior to granting approval, you must establish that the requirements of section 48 of the *Adoption Act* have been met by:

- reviewing the prospective adoptive parent(s)' homestudy (education and structured family assessment components) to determine that it is current and meets the requirements of the *Adoption Regulation*
- determining if information about adoption and its alternatives was provided to the birth parent(s) or guardian(s) by an authority approved to provide that type of service
- reviewing the child's and birth family's medical and social history to determine if:
  - both birth parents have been interviewed
  - the quantity and quality of the information obtained for the child is sufficient to meet the future needs of the child and adoptive family
- determining if the required consents in the jurisdiction where the child is resident have been obtained, and
- meeting with the prospective adoptive parent(s) to discuss the proposed placement.

If you determine that the requirements of section 48 have been met, you must provide written approval for the child to be brought into British Columbia.

You must preserve the child and birth family information obtained for the child.

If the child resides out of country, when approval has been granted, and when the requirements for the Letter of No Objection have been met, you must recommend that a Letter of No Objection, required by Citizenship and Immigration Canada, be issued.

Practice Standard 78: Post-placement Responsibilities and Completing a Section 48 Adoption

After receiving written notice that a child who resides outside British Columbia has been placed in the home of prospective adoptive parent(s) for the purpose of adoption, you must:

- determine if section 48 of the *Adoption Act* applies (refer to Practice Standard 77)
- determine whether the pre-placement requirements of section 48 have been met and approval has been granted
- if you determine that approval has not been granted:
  - meet the requirements of Practice Standard 77 or, if the prospective adoptive parent(s) do not have a current homestudy (education and structured family assessment components) that meets the requirements of the *Adoption Regulation*, refer them to a licensed British Columbia adoption agency to provide all required adoption services
  - inform the Director of Adoption of the contravention
- visit the prospective adoptive parent(s) in their home within 5 working days of receiving notice
- inform the prospective adoptive parent(s) and/or their lawyer of the post-placement requirements, and
- complete the required progress reports.

When protection concerns are identified during the post-placement period, you must:

- report the matter immediately to a person designated under the *CFCSA* to determine if the child is in need of protection
- consult with your supervisor/team leader, and
- prepare a written report on the action taken for your supervisor/team leader and the Director of Adoption.

At the conclusion of the post-placement period, and after receiving written notice of an application for an adoption order, you must:

- obtain required documents and informatio. . in preparation for completing the Post-placement Report

- prepare:
  - if applicable and where requested, a Report on a Younger Child's Views
  - the Summary Recording, and
  - the Post-placement Report, which includes a recommendation from the Director of Adoption as to whether an adoption order should be granted, or a statement that there is insufficient information to make the recommendation.